

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
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)	
V.)	Criminal No. 04-10298-DPW
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)	
MARKO BOSKIC)	

OFFER OF PROOF CONCERNING ANTICIPATED
TESTIMONY OF ANDRAS RIEDLMAYER

His Background and Experience

Andras Riedlmayer ("Riedlmayer") was born in Budapest, Hungary. He left Hungary in 1956 and moved to Germany, where he lived until 1961. He came to the United States in 1961 at the age of 14. He went to high school in Chicago and then attended the University of Chicago. He became a United States citizen in 1967. His academic involvement with Bosnia began decades ago in 1969, when he wrote his senior theses (A.B., History, University of Chicago) on "Bosnia-Herzegovina and the Congress of Berlin." He traveled through the former Yugoslavia in the 1970s as a graduate student. He earned a masters degrees from Princeton University in Ottoman history in 1972. He then traveled to Turkey as a Fullbright Fellow to do dissertation research. He did research on Turkey and the Balkans until 1975. In 1988, he earned a M.S. in Library and Information Science from Simmons College. He has taught at University of Chicago, Boston College, Tufts University and Harvard. He has lived in Boston since 1980. Riedlmayer has studied, traveled and written extensively on the

Balkans. Since 1985, Andras J. Riedlmayer has been bibliographer in charge of the Documentation Center of the Aga Khan Program for Islamic Architecture, at the Fine Arts Library at Harvard University.

Riedlmayer has published widely in academic and professional journals and monographs, and has presented at international conferences. In 2002 and 2003, Riedlmayer testified as an expert on the destruction of Muslim cultural heritage in Bosnia-Herzegovina in 1992-1996 and in Kosovo in 1998-1999, during the trial of Slobodan Milosevic at the ICTY. He has also testified as an expert at the International Court of Justice in 2006.

In addition to extensive review of first person and other sources, he did field work in Bosnia for the ICTY in 1997, 1998, 2001 and 2002. He is fluent in five languages, and has a reading knowledge of 15 others.

Historical Background

Bosnia and Herzegovina ("Bosnia") is about the size of West Virginia. In the 1990s it had almost 4.5 million residents. After World War II, it comprised part of the Federal Republic of Yugoslavia ("Yugoslavia"), which was composed of six separate Republics: Bosnia, Croatia, Macedonia, Montenegro, Serbia and Slovenia. Certain Republics were populated predominantly by one ethnic group. For example, Serbs in Serbia (Orthodox) and Croats in Croatia (Catholic). Bosnia was the most multi-ethnic of all

the Republics, with a pre-war population of 44 percent Bosnian Muslims, 31 percent Bosnian Serbs, and 17 percent Bosnian Croats. However, the different groups all came from the same "stock." Originally most of the population was Christian. Some converted to Islam, some followed the Eastern Orthodox Church and thus identified themselves as Bosnian Serbs, and those who became Catholics identified themselves as Bosnian Croats. The different groups thus developed separate ethnic and cultural identities as they followed different traditions, celebrated different holidays, and adopted different religious practices. Most communities were mixed and many marriages were mixed. The places of worship often occupied the same town square.

The tension between Croatia and Serbia as to who would dominate Bosnia in the post World War I period put pressure on the Bosnians to identify themselves as Croats or Serbs. The Muslims were not given a third choice. The lines of ethnicity became political choices. This was repeated in the 1980s and 1990s.

Post World War II, the Communists controlled the central Yugoslavian government. The Communists were hostile to religion. Religious education of the young was forbidden. Religious people were stigmatized. In the past, members of different religious groups might join in each others religious celebrations; under the Communists, in part, because of the stigma attached to

religion, this practice ended. Communism also broke down the politics based on ethnicity which had been defined by the religion of the Bosnians' ancestors. The Bosnians thus knew little about their own religion and even less about the religion of others. The Communists also suppressed any expressions of nationalism (e.g., Croat or Serb).

All religious sites were registered with the government. The government owned all churches and mosques, and the religious groups were only allowed use of the buildings. Permission was required in order to repair or construct a religious site. Some religious sites with historical or architectural significance were transformed into non-religious use.

After the death of the Communist leader Tito, and during the economic and political crisis of the 1980s, Serb politicians began to push ethnic hatred through the state-dominated media. (Under the Communists, the media was completely controlled by the State; this continued under the Serbs.) Religion was adopted as a symbol of nationalist politics.

The Yugoslav National Army ("JNA") was dominated by a Serb officer corps. In early 1991, the officer corp was 60% Serb. This domination increased in 1991 when Croatia and Slovenia seceded from Yugoslavia. The Croatian and Slovenian officers left the JNA. The National Yugoslav government also became more and more dominated by the Serbs and took instructions from the

Serb's leader Milosevic. The Serbs and the JNA began to provide arms to the Serb militias in Croatia and Bosnia.

In the spring of 1992, an independence referendum was held in Bosnia. Even though the Serbs advocated a boycott, two-thirds of the population participated and the vote was in favor of independence. The shelling of Sarajevo, the capital of Bosnia, began. Serb militias began to occupy parts of Bosnia.

In May 1992, the government in Belgrade announced that the JNA was withdrawing from Bosnia. Although some withdrew, for the most part, tanks were painted, insignias on the uniforms changed and the Bosnian-Serb Army came into being. The budget and arms continued to be provided by Belgrade. In the first six to nine months, the Serbs overran close to 70% of Bosnia. The Serbs began the methodical expulsion of non-Serbs from the territory they controlled. Detention camps were also established and the "elites" were killed.

The Serbs announced their goal to reduce the non-Serb population to less than 5% of the population (even in areas that had been a majority non-Serb).

The Bosnian Serb Army also had some non-Serbs. Ethnicity often was a political choice as one identified with a particular political group. A non-Serb could be a good Serb soldier even if he were not from the right ancestry.

At first, the Serbs established Serb autonomous regions in Bosnia. Then they declared the Serb Republic of Bosnia. Finally, the Republic of Srpska was declared in most of Eastern and Northern Bosnia and the Southeast corner of Herzegovina. The Bosnian Serb Army became the Army of the Republic of Srpska. The long term goal was to federate with Serbia and Serb controlled areas of Croatia. Much of the Republic's budget continued to be provided by Serbia.

After the Dayton Peace Accords, it was agreed that the Republic would include no more than 49% of Bosnia. The Republic continues to exist and function as a separate government, like a state government here in the United States, as part of Bosnia-Herzegovina. Recently, the Army of the Republic has merged into the national army, and attempts are underway to do the same with the police.

His Survey of Destruction

In 2002, Riedlmayer was asked by the ICTY to do a field study on the destruction of religious and cultural properties of non-Serbs in 12 municipalities. Riedlmayer surveyed the 12 municipalities, plus nine others. After testifying as an expert witness in July 2003 in the case against Slobodan Milosevic at the ICTY concerning his findings, he was contracted by the Tribunal to serve as an expert in two additional cases. For these cases he was asked to compile data for an additional seven

municipalities, bringing the total of Bosnian municipalities surveyed to 26, and the number of devastated cultural and historical sites fully documented to 452. (Riedlmayer has also reviewed the work of others that involved a survey of close to 1000 sites.)

A municipality is an administrative unit of government, like a county within a state. Municipalities vary in size, but most have a principal city or town and smaller settlements. Before the war, there were approximately 109 municipalities in Bosnia of greatly varying sizes.

The area covered by his survey forms a broad arc that covered a majority of the area where the Serbs attempted to remove the non-Serb population during the period 1992-1995. Included in the municipalities in Eastern Bosnia were Srebrenica, Bratunac, Konjevic Polje, Zvornik, and Bijelina.

The purpose of the survey was to document the destruction of religious and cultural buildings during the time that the areas were controlled by the Serbs. Before visiting the sites, Riedlmayer accumulated information about the location of religious and cultural buildings from various sources, including photographs from various sources (e.g., photographs he or others took; photographs in publications and documents). During the survey, Riedlmayer also obtained preliminary witness statements, and reviewed other accounts. Riedlmayer also reviewed other

sources of information about destruction, including the findings of a delegation sent by the Council of Europe after the war to ascertain the post-war condition of all major cultural monuments listed in the national register of Bosnia. In many cases, religious communities advertised the destruction of sites, for the purpose of raising funds to help in rebuilding efforts. These requests often included photographs. He also had a network of friends (e.g., election observers) who provided photographs to him.

During his survey, he visited over 1000 sites in the former Yugoslavia. He became adept at determining when the destruction had occurred by, for example, the kind and size of the vegetation or trees on the site.

Riedlmayer noted massive destruction of Muslim religious and cultural sites in the areas controlled by the Bosnian Serbs. Virtually none survived undamaged. Over 90% of the mosques were destroyed. There were a small number that were damaged but not destroyed. Most of these were on the front lines of battle and were damaged during the fighting, but not destroyed because they never came under Serb control. Some mosques that were under construction, but not completed or dedicated, were vandalized but not destroyed. In some cases of destruction, the building materials were removed from the site and dumped out of town. The site of the mosque then became a garbage dump. It was a

tradition in Bosnia to plant a Linden tree next to the entrance to a mosque. Often Riedlmayer could find the site of the mosque by finding a Linden tree with a big pile of garbage next to it.

In some towns, such as Bijelina, even though there was no major fighting, all the mosques destroyed. In Bijelina, over the course of 18 months, all Muslims were expelled. In Zvornik, 46 mosques and Muslim shrines were all destroyed.

In general, there was a systematic attempt to expel or kill the Muslim residents and then, after the territory was secured, to destroy all evidence of the cultural and religious heritage of the Muslims.

Respectfully submitted,

For the United States:

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Dated: June 20, 2006

CERTIFICATE OF SERVICE

I hereby certify that these documents filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF)

/s/ Jeffrey Auerhahn
Jeffrey Auerhahn
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